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TRANSMITTAL SLIP		DATE 11/16/87
TO: [Redacted]		
ROOM NO. 7B24	BUILDING Hq	
REMARKS:		
[Redacted]		
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		EXTENSION

FORM NO. 241 1 FEB 56
REPLACES FORM 36-8 WHICH MAY BE USED.

(47)

OCA 87-5726

16 November 1987

STAT MEMORANDUM FOR: [REDACTED]
Legislation Division
Office of Congressional Affairs

VIA: Deputy Director of Personnel for
Compensation, Automation, and Planning

STAT FROM: [REDACTED]
OP/CAP

SUBJECT: Federal Employees' Optional Early Retirement
Act of 1987, S.47

1. You have requested that we once again review subject bill to determine whether the position we've taken in previous years regarding this bill remains the same.

2. After careful consideration of the provisions of the bill, we continue to oppose it in light of the Agency's intelligence mission. The bill would allow federal civilian employees with specified minimum ages and years of service to voluntarily retire within a 90-day period commencing 60 days after enactment of the bill. Further, the bill would reduce total federal civilian employment to the extent that employees retire, whether under provision of current law or the proposed bill, during the 90-day period. Thus the proposal intends to reduce the size of the federal civilian work force and lower government spending.

3. The Agency can ill-afford to lose the numbers of employees with highly technical skills or highly valuable expertise who would be eligible to retire and whose numbers could not be replaced. The percentage of employees eligible to retire would increase Agency-wide, with the severest impact felt among the ranks of SISers and the GS 14/15 levels. The biggest problem would be presented by vacancies left by those who possess readily-marketable skills and which, consequently, are difficult to replace with those currently employed or even with new employees hired under a replacement waiver.

4. None of the exemptions, holdover authorities, or waivers of the replacement limitation provided by the bill are adequate or sufficiently flexible to protect the accomplishment of our intelligence product and mission. Our people are our most valuable asset. The Agency must retain the authority and ability to determine the best methods by which it may lower federal spending with a minimum of disruption in furthering its mission. Further, the savings obtained as a result of employees retiring would be minimal within the Agency compared to the rest of the Government.

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5. In addition to the above, we have two further objections to the bill as presently drafted. In section 10(b), the Comptroller General "may audit the records of any agency of the Federal Government to determine the level of compliance with the requirements" not to obligate or expend for any purpose outlays saved by reason of this bill. We request that the Agency be exempt from this audit provision and that, if any review of Agency records is deemed necessary, this review be conducted by our oversight committees. Second, we request that the Agency be exempt from providing to the Director of the Office of Personnel Management information necessary for the Director to prepare the report required by section 11. Thus, we recommend adding the phrase "to the extent permitted by law" after the phrase "may obtain" in section 11(c).

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